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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q92303

Susumu WATANUKI, et al.

Appln. No.: 10/562,128

Group Art Unit: 1609

Confirmation No.: 5572

Examiner: David E. GALLIS

Filed: December 23, 2005

For: QUINOLONE DERIVATIVE OR SALT THEREOF

RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENTS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This responds to the Restriction and Election of Species Requirement, dated February 26, 2007. In response to the Restriction Requirement, Applicants elect Group IV, claims 1, 2 and 7-17 for examination. This election is made without traverse.

Applicants elect the compound (I) as recited in claim 1 and compound (I-a) as recited in claim 7, in which,

$X = C-R^7$ ($R^7 = H$),

$Y = C-R^6$ ($R^6 = H$),

$R^2 =$ a lower alkyl,

$R^3 =$ halogen

$R^4 =$ cyclohexyl

$R^5 = H$

$R^{11} = H$

$R^{12} =$ a lower alkyl which is substituted with $-CO_2H$,
or a pharmaceutically acceptable salt thereof.

Response to Restriction Requirement and
Election of Species
USSN 10/562,128

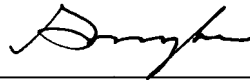
The Restriction Requirement has required identification of the claims readable on the elected species. Claims 1, 2, 7-12 and 14-17 read on the elected species.

Applicants submit that if any of the elected claims is found to be allowable, claims dependent therefrom should similarly be considered allowable in the same application.

Applicants reserves the right to file a Divisional Application directed to non-elected claims.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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CUSTOMER NUMBER

Date: March 26, 2007